DISCIPLINARY PROCEDURE AND DISCIPLINARY CODE GUIDELINE (Annexure B and C to the Conditions of Service)	
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Related documents

UJ documents	**Other**
• UJ Conditions of Service	• Constitution of South Africa Act 108 of 1996; • Basic Conditions of Employment Act (BCEA), Act 75 of 1997; • Labour Relations Act (LRA); Act 66 of 1997 as amended; • Employment Equity Act (EEA), Act 55 of 1998; • Protection of Personal Information Act (POPI), No 4 of 2013; • Promotion of Access to Information Act (PAIA), No 2 of 2000; and • Immigration Act (No 13 of 2002) • Labour Law Amendment Act of 2018.
Stakeholders affected by this document (units and divisions who should be familiar with it):	• Executive Leadership Group; • Heads of Department; • Line Managers; • Human Resources; and • Unions
Website address of this document:	**Intranet**

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1. OBJECTIVE

1.1 The University's Disciplinary Procedure is aimed at establishing a fair and uniform procedure for the management of discipline at the University of Johannesburg. Given the complex nature of Employment Relations, the disciplinary code and procedure serves as guide to evaluate cases on its merit yet ensuring fairness and consistent application.

1.2 This Procedure is also aimed at rectifying unacceptable conduct with a view to establishing, maintaining and developing sound employment relations at the University.

1.3 This Procedure is implemented in accordance with the principles of natural justice, substantive fairness and procedural fairness.

1.4 The provisions of Schedule 8 of the Labour Relations Act (LRA) form the point of departure for this Procedure. Although there is a separate Policy dealing with matters of incapacity the same procedural informal and formal corrective measures apply in incapacity cases as guided by Schedule 8 of the Act.

2. DEFINITIONS AND INTERPRETATION

2.1 In this Procedure, all words have the same meaning as those defined in the consolidated conditions of service unless the context indicates otherwise.

2.2 **Procedure**: means this Disciplinary Procedure, which forms part of all employees' conditions of service.

2.3 Whenever a number of days is prescribed in this Procedure, such number shall be calculated by excluding the first day, but including the last day, unless the last day falls on a Saturday, Sunday or an official Public Holiday, in which case the last day shall be the next day that is not a Saturday, Sunday or an official Public Holiday.

2.4 Paragraph headings are inserted for convenience only and cannot be used in the interpretation of this Procedure.

2.5 If any provision confers any right or imposes any obligation on any party, then notwithstanding that it is only in the interpretation clause, effect must be given to it as if it were a substantive provision.

2.6 **Employee**: means – (a) Any person, excluding an independent contractor, who works for the University and who receives, or is entitled to receive, remuneration; and (b) Any other person who in any manner assists in carrying on or conducting the business of the employer.

2.7 **Employer**: is The University of Johannesburg.

2.8 **Management**: means the person who directly or indirectly directs (oversees and regulates) the activities of the employee and who is duly authorised by the University of Johannesburg to act as a manager or management representative.

2.9 **Workplace**: means any place where employees work.

2.10 **Conditions of Service**: means the terms of on which an employee is employed and expressly apply to all employees in the employ of the University of Johannesburg, irrespective of their membership of trade unions or otherwise.

2.11 **Remuneration**: means any payment in money or in kind, or both in money and

in kind, made or owing to any person in return for that person working for the University and 'remunerate' has a corresponding meaning.

2.12 **Misconduct**: is one of the grounds recognized by the law that may give reason for the dismissal of an employee. It means improper or unacceptable behaviour by the employee which implies that an employee knows or should know the rule, and yet does not comply with the rule.

2.13 **Incapacity**: refers to an employee's temporary or permanent lack of ability to perform effectively due to ill health or injury, or poor work performance or incompatibility.

2.14 **Trade union**: means an association of employees whose principal purpose is to regulate relations between employees and employers, including any employers' organizations.

2.15 **Trade union representative**: means a member of a trade union who is elected to represent employees in a workplace.

2.16 **Legal practitioner**: means any person admitted to practice as an advocate or an attorney in the Republic.

2.17 **Schedule 8 of the Labour Relations Act (LRA)**: means the Code of Good Practice: Dismissal that deals with the Substantive and Procedural fairness for a dismissal for reasons of misconduct.

2.18 **The Labour Relations Act (LRA), Act 66 of 1995**: aims to promote economic development, social justice, labour peace and democracy in the workplace.

2.19 **CCMA**: means the Commission for Conciliation, Mediation and Arbitration established in terms of Section 112 of the Labour Relations Act, 1995. (CCMA) is an independent organisation that resolves labour disputes.

2.20 **Code of good practice**: means a code of good practice issued by NEDLAC in terms of Section 203 (1) of the LRA.

2.21 **NEDLAC**: means the National Economic Development and Labour Council established by Section 2 of the National Economic, Development and Labour Council Act, 1994 (Act 35 of 1994).

3. GENERAL PRINCIPLES

3.1 The University's Management is responsible for maintaining discipline in the workplace, and this responsibility is enforced through this Procedure.

3.2 This Procedure applies to all University employees.

3.3 This Procedure is implemented for matters related to misconduct enquiries. This procedure must also take into consideration other related Policies such as those dealing with Incapacity.

3.4 This Procedure has no bearing on the termination of employees' services for operational reasons (retrenchments).

3.5 This Procedure forms part of the conditions of service of the affected employees of the University.

3.6 Records of disciplinary action taken are filed in employees' personal files for safekeeping and future references and employees are entitled to a copy of such warnings.

3.7 Written warnings are valid for a period of six (6) months and final written

warnings for a period of twelve (12) months from the date of issue after which it will expire. All expired documents must be removed from the personal files.

3.8 Disciplinary action against employees is taken within a reasonable period after the University has become aware of and evaluated the need for such action.

3.9 This Procedure acknowledges that employees are entitled to choose one representative who is a colleague, a trade union representative, a trade union official or a legal representative to assist them during the implementation of any formal level of discipline for which provision is made in paragraphs 5.1, 5.2 and 5.3.

3.10 The Vice-Chancellor and Principal may suspend employees for reasons permitted and recognized in law for a maximum period of thirty (30) days with full remuneration subject to:

(a) Giving the employee/s precautionary notice of the University's intention to implement suspension;

(b) Giving the employee/s opportunity to make representation prior to the implementation of the intended suspension; and

(c) The Vice Chancellor and Principal will in particular consider suspension when:

i) It is believed that the continuous presence of the employee/s may hamper investigations, and

ii) There is a perceived and reasonable possibility that employees charged with misconduct may intimidate witnesses or attempt to destroy evidence.

3.11 The Vice-Chancellor and Principal may at any time rescind the suspension of employees, but despite such rescission the proceedings in respect of the charge of misconduct may continue.

3.12 The acquittal or conviction of employee on a criminal charge by a court of law shall not prevent steps being instituted against him/her on a charge of misconduct, notwithstanding the fact that the facts set out in the charge of misconduct, should they be proven, would constitute the misconduct set out in the criminal charge on which he has been so acquitted or convicted or any other offence of which he might have been found guilty at his trial for the said criminal charge. Internal disciplinary proceedings may thus take place concurrently or before or after and totally independently of any external criminal proceedings.

4. NATURE OF DISCIPLINARY MEASURES

There is one informal level and three (3) formal levels of disciplinary action that may be taken against employees.

4.1 Informal discipline

4.1.1 Informal discipline is implemented by means of a verbal reprimand that is not placed on record.

4.1.2 A verbal reprimand makes provision for daily operational matters rather than specifically unacceptable conduct, for which provision is made in the University's Disciplinary Code and other Conditions of Service.

4.2 Formal discipline

4.2.1 Formal disciplinary action may be taken against employees at any of three (3) levels (see subparagraph 4.5) when the Disciplinary Code is breached, or Conditions of Service are not complied with.

4.2.2 The following three (3) levels of disciplinary action are followed (in order of less serious to more serious):

(a) Written warning;
(b) Final written warning; and
(c) Disciplinary inquiry, which could lead to employees' dismissal.

4.3 Warnings are cumulative and progressive with the purpose to correct conduct.

4.4 Where applicable and depending on the totality of circumstances, corrective action, may be instituted as listed in 4.2.2 above by following the levels as described in (a) to (c) for related offences.

4.5 The various levels of disciplinary action for which provision is made in 4.2.2 do not always follow a fixed sequence. Discipline may be implemented directly at the level that is deemed to be appropriate taking into consideration all circumstances in terms of the objectives of this procedure and the nature and seriousness of the case.

5. PROCEDURE

Formal disciplinary action is taken as follows.

5.1 Level 1: Written warning

5.1.1 If an employee's immediate Head (or a more senior employee if it is preferable and so advised by the Employment Relations Department, that a more senior employee deals with the matter) believes that a written warning is in order for the offence, the procedure set out below is followed.

5.1.2 The person identified in 5.1.1 must give notice to the employee/s in writing of a meeting to take place as well as the purpose of the meeting. The employees' rights must be listed in the notification.

5.1.3 At the meeting the nature of the identified issues of misconduct are discussed with the employee in the presence of the employee's representative (if the employee/s so required), as well as a management observer and or Human Resources representative whose role is to advise everyone on related processes and procedures, including conditions of service.

5.1.4 Employees are also given ample opportunity to state their case. Should an employee notwithstanding timeous notice to make him/herself available for this procedure, not attend the process without a reasonable explanation communicated to the management observer, the process may continue in his/her absence as a default procedure.

5.1.5 An interpreter appointed by the Head may also be present at the employee's request.

5.1.6 If the person dealing with the matter still decides to issue the warning after the employee has stated his/her case and the process as described in 5.1.2 is concluded a warning in writing is issued (see Annexure A as a guide).

5.1.7 The person issuing the warning ensures that the employee understands the nature of the warning as well as the possible consequences of a recurrence of the same or similar offence during the period of the duration of the warning.

5.1.8 The employee and his/her representative must sign the warning form to acknowledge receipt of the warning even if the employee does not agree with the disciplinary action being taken.

5.1.9 If the employee or the representative refuses to sign the warning form, the management observer and/or the Human Resources representative will confirm that the warning was issued in the presence of the employee by endorsing the form to this effect.

5.1.10 The employee's refusal to sign this form does not render a warning invalid and a warning that is endorsed accordingly will have the same validity as a warning that is signed by an employee.

5.1.11 A copy of the completed warning form must be made available to the employee, and the original will be kept in the employee's personal file.

5.1.12 The duration of the validity of the warning will be in accordance with paragraphs 3.7.

5.1.13 If an employee does not agree with the action being taken, he/she may refer an appeal within three (3) working days to the next level of management (i.e. the person who issued the warning reports) for a final decision. The substantive and procedural grounds for leave to record an appeal must be clearly defined in the application. This level of management will follow an appropriate process and procedure in consultation with the Employment Relations Department prior to communicating the final outcome. Should an employee persist to dispute the decision taken, he/she may refer the matter to the CCMA as per related legislation.

5.2 Level 2: Final written warning

5.2.1 If an employee's immediate Head (or a more senior employee as mentioned in paragraph 5.1.1) feels that a final written warning may be the appropriate disciplinary measure, the employee can elect that the procedure as outlined with level 1 be followed or alternatively the procedure as described in 5.3. Should an employee elect the former, the same process steps as listed in above (in level 1) will be followed. The outcome of the meeting will determine an outcome short of dismissal which may include a final written warning.

5.2.2 The person issuing the warning must ensure that the employee understands that a recurrence of the same or similar offence during the period of validity of the final written warning may lead to a disciplinary inquiry, which could in turn lead to the dismissal of the employee.

5.2.3 If an employee does not agree with the action being taken, he/she may refer an appeal within three (3) working days to the next level of management (i.e. the person who issued the warning report) for a final decision. The substantive and procedural grounds for leave to record an appeal must be clearly defined in the application. This level of management will follow an appropriate process and procedure in consultation with the Employment Relations Department prior to communicating the final outcome. Should an employee persist to

dispute the decision taken, he/she may refer the matter to the CCMA as per related legislation. This will apply in cases where the employee elects not to follow the procedure as outlined in 5.3.

5.3 Level 3: Disciplinary inquiry

5.3.1 A disciplinary inquiry is conducted in the event of any serious offence that would warrant dismissal as a possible measure or in the event of the recurrence of the same or similar offence or where progressive corrective measures have been instituted which justifies the formalization of a disciplinary inquiry.

5.3.2 Disciplinary enquiries are instituted upon the approval by the Director: Employment Relations whose role is to ensure that fairness prevails, and that adequate corrective measures and procedures followed justifies the institution of a disciplinary inquiry.

5.3.3 The procedure below is followed if a disciplinary inquiry is conducted:

5.3.3.1 The employee receives a five (5) working days' written notice to attend the inquiry.

5.3.3.2 The written notice (see Annexure B as guide) is issued to the employee and handed to the employee by a member of the Employment Relations Department.

5.3.3.3 An employee notified of a disciplinary enquiry has the right to request further particulars and documents concerning the charges to be submitted to her/him no less than three (3) working days before the date of the hearing, subject to such information being reasonably required for purposes of preparing a defense and further subject to the limitations of section 16 of the LRA.

5.3.3.4 The Chairperson of an inquiry may at her/his sole discretion, but only on good cause shown, postpone the disciplinary inquiry.

5.3.3.5 Applications for postponement must reach the chairperson no less than three working days before the scheduled date of the inquiry in order to have any status.

5.3.3.6 The Chairperson may also grant a postponement in cases of serious illness or death in the employee's immediate family.

5.3.3.7 The inquiry is attended by:

(a) the *Chairperson,* who:

(i) is appointed by the Management Executive Committee (MEC);

(ii) must not directly or indirectly be involved in the allegations against the employee;

(iii) must not have any direct or indirect interest in the case;

(iv) is appointed from outside the University;

(v) may, at the sole discretion of the MEC, be a legal expert, especially if the MEC is of the opinion that the seriousness of the offence makes it necessary to appoint a Chairperson with legal expertise;

(vi) is vested with the delegated power of the Council to make a finding of Guilty or Not Guilty and make a recommendation about the sanction to the Vice-Chancellor and Principal;

(vii) as authorised by Council the Vice Chancellor and Principal may

ratify the Chairpersons recommendation or refer it back if further clarification is needed wherein the Chairperson must follow the appropriate process to enable him/her to respond in terms of the issues raised.

(b) the University representative is appointed by the Executive Director: Human Resources in consultation with the Director: Employment Relations. The University representative officially represents the University and serves the function as initiator and leads the proceedings on behalf of the University;

(c) the *employee* against whom the allegations are being made, who, if he/she refuses or fails to attend a hearing may be tried *in absentia*;

(d) the *employee's representative* as he/she elected and /or nominated;

(e) an interpreter approved by the Chairperson if the employee wishes to have one present; and

(f) a representative from the Human Resources Division/Employment Relations Department, who ensures that the proper administrative procedures and processes are being followed.

5.3.3.8 The University representative and the employee have the right to call witnesses and to cross-examine any other witnesses called by the opposite party.

5.3.3.9 The witnesses must enter the venue of the inquiry one at a time and must leave as soon as they have completed testifying and cross-examination has been completed. Witnesses are not allowed to communicate with possible other witnesses before the procedure had been finalized on any aspect regarding this particular procedure.

5.3.3.10 The Chairperson announces the outcome of guilty/non-guilty after the University representative and the employee or his/her representative have concluded their respective cases and after the Chairperson has taken a recess to consider the cases.

5.3.3.11 The Chairperson's finding needs be made on a balance of probability and as prescribed by the relevant legislation applicable

5.3.3.12 If the Chairperson finds the employee guilty, the employee or his/her representative is given the opportunity to bring mitigating circumstances or other relevant information to the Chairperson's attention, and the University representative of the allegations will also be given the opportunity to bring aggravating circumstances or other relevant factors to the Chairperson's attention.

5.3.3.13 After hearing the mitigating and/or aggravating circumstances, the Chairperson will have the employee's personal file fetched, from which the Chairperson will determine the employee's period of service, whether there is a record of any valid and related warnings, as well as any other relevant information, such as the employee's personal circumstances, and take these into consideration when in recommending a sanction.

5.3.3.14 In recommending a sanction, the Chairperson must take account of:

(a) the measures being proportionate to the misconduct of which the employee has been found guilty;

(b) the circumstances of the employer and the employee, and the impact of the transgression on workplace relationships;
(c) aggravating factors which may include the employee's position, seniority and previous disciplinary offences and warnings;
(d) mitigating factors that may include the employee's length of service, a clean disciplinary record or extenuating personal circumstances.

5.3.3.15 The sanction as recommended by the Chairperson will be communicated to the office of the Vice-Chancellor and Principal for decision as delegated by Council and as described in 5.3.3 (g) (i). The decision taken by the Vice-Chancellor and Principal will be communicated to the employee by the Director: Employment Relations or his/her designate.

5.3.3.16 The possibilities of demotion or suspension without pay may be put to the employee only as alternatives short of dismissal and must be accepted by the employee in writing in order to be valid.

5.3.3.17 Once informed of the sanction and the employee wishes to challenge the decision, he/she has the right to exercise his/her rights in terms of paragraph 6.

5.3.3.18 The Chairperson is responsible for ensuring that proper minutes of the inquiry are kept, and the employee is entitled to a copy of the minutes.

5.3.3.19 An audio recorder must always be used to record disciplinary inquiries. The service of an employee and the employment relationship only comes to an end when the final decision taken in terms of the appeal procedure is communicated in writing to the employee where an appeal was lodged and considered.

6. APPEAL PROCEDURE

6.1 An employee may apply in writing to the Vice-Chancellor and Principal for leave to record an appeal after receiving the official verdict and/or sanction within three (3) working days of the sanction being communicated. Should an employee not exercise his or her right as contemplated in par 6.1 and the sanction is termination of employment services, the termination date will only come into effect after the three (3) day period has lapsed and as per the notice of termination received in writing.

6.2 The substantive and procedural grounds for leave to record an appeal must be clearly defined in the application.

6.3 The Vice-Chancellor and Principal or his delegated authority grants or rejects such application within seven working days after receiving the application as prescribed above.

6.4 If the application is rejected and the sanction is that of termination of services, the date of termination will be as per the final outcome communicated in writing to the employee. The employee may thereafter refer the matter to the CCMA for adjudication or any other relevant statutory body as prescribed by the related legislation.

6.5 If the application is granted, an appeal panel (which may consist of one (1) person) will be appointed to evaluate the grounds as per the scope determined by the Vice-Chancellor and Principal or his delegated authority in the ruling on

the application for leave to appeal. The appeal panel may uphold, reject or amend the verdict and/or sanction. The final outcome will be communicated to the employee via the office of the Vice-Chancellor and Principal or his delegated authority. This decision will be final as officially communicated and the employee may thereafter refer the matter as prescribed in paragraph 6.4.

7. RECORD KEEPING

7.1 The Executive Director: Human Resources ensures that all records of disciplinary inquiries are kept for at least twelve (12) months after the termination of the proceedings.

Approved by Council on 18 September 2014
Amendments approved by Council on 22 September 2020

ANNEXURE A: DISCIPLINARY WARNING FORM - GUIDE

Employee's name: ……

Job title: ……

Department/Division: ……

Supervisor/Head: ……

Date of offence: ……
(where applicable)

Time of offence: ……
(where applicable)

Nature of misconduct in terms of the code guidelines:

……

……

Employee's statement for misconduct (in brief):

……

……

Reason accepted?
Yes/No: ……

If reason was not accepted, the following corrective action is necessary to avoid future misconduct:

……

……

……

Action taken: Warning / Final warning *(delete as appropriate)*.

In the event of a final warning being given, the employee was advised that should he/she be found guilty of a similar violation within the validity period of this warning, then dismissal may follow.

……	……..
Employee's signature	Date
……	……
Line Manager's / Head's Signature	Date
……	…….
Employee Representative's Signature	Date
……	……..
HR Representative	Date

NOTES:
1. One copy to employee and one copy for employee's file.
2. Written warning stays valid for six months.
3. Final warning stays valid for twelve months.

ANNEXURE B: NOTICE TO ATTEND A DISCIPLINARY INQUIRY - GUIDE

Name of employee: .....……

Department/Division: ……..……

1. Alleged transgression (including date, time and place if appropriate):

   ……

   ……

2. Date of disciplinary inquiry: ……...

   Time: ……..

   Place: ……

   Name of Chairperson of disciplinary inquiry: ……..……

3. Please inform the Chairperson within five working days before the date of the inquiry:

   (a) if an interpreter is required;
   (b) the name of your representative;
   (c) the name of any additional witnesses; and
   (d) if any further particulars and documents are required for purposes of preparing a defence.

4. During the inquiry you are entitled:

   (a) to state your case;
   (b) to be represented by a fellow employee / recognised trade union representative, union official or legal practitioner;
   (c) ask questions on any evidence produced or of statements by witnesses;
   (d) to have an interpreter of the Chairperson's choice; and
   (e) to call witnesses.

5. If you do not attend and cannot give reasonable grounds for failing to attend, the inquiry will be held in your absence.

6. I acknowledge receipt of this notice and understand the contents thereof.

…….…….. ……
Signature of Initiator Date

…… ……
Signature of employee Date

DISCIPLINARY CODE GUIDELINE (Annexure C to the Conditions of Service)	
Document number	
Custodian	Chief Operating Officer
Responsible Division	Human Resources Division
Status	Approved
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Date of approval	18 September 2014
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Review date	2025

Related documents

UJ documents	**Other**
• UJ Conditions of Service	• Constitution of South Africa Act 108 of 1996; • Basic Conditions of Employment Act (BCEA), Act 75 of 1997; • Labour Relations Act (LRA); Act 66 of 1997 as amended; • Employment Equity Act (EEA), Act 55 of 1998; • Protection of Personal Information Act (POPI), No 4 of 2013; • Promotion of Access to Information Act (PAIA), No 2 of 2000; and • Immigration Act (No 13 of 2002) • Labour Law Amendment Act of 2018.
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1. PREAMBLE

1.1 This code sets out a schedule of offences indicating the disciplinary action that will normally be applied, but it must be borne in mind that the schedule provides only guidelines.

1.2 Depending on the circumstances of a particular case, any offence may warrant a more or a less severe penalty than that laid down.

1.3 The relevant schedule/s of the Labour Relations Act and other related legislation must always be borne in mind, as must the provisions of any relevant policies and or conditions of services and or applicable contract/s that may have a bearing on the matter.

1.4 The list of offences is not exhaustive and unforeseen matters will create new precedents over time.

1.5 An employee who is found guilty of committing an offence not specifically described in this code may nevertheless be disciplined in appropriate circumstances considering the conditions as set out in 1.1 to 1.4 as well as the employment history in totality. Substantive and procedural fairness principles are important as when making disciplinary action decisions.

2. DEFINITIONS

2.1 In this Code, all words have the same meaning as those defined in the consolidated conditions of service, unless the context indicates otherwise.

2.2 **"Code"** means this Disciplinary Code, which forms part of all employees' conditions of service.

2.3 Legend for abbreviations used in the schedule:

2.3.1 VW: Verbal Warning

2.3.2 WW: Written Warning

2.3.3 FW: Final Warning

2.3.4 DC: Dismissal with notice

2.3.5 SD: Summary dismissal (Dismissal without notice)

3. INTERPRETATION

3.1 Whenever a number of days is prescribed in this Code, such number shall be calculated by excluding the first day, but including the last day, unless the last day falls on a Saturday, Sunday or an official Public Holiday, in which case the last day shall be the next day that is not a Saturday, Sunday or an official Public Holiday.

3.2 Paragraph headings are inserted for convenience only and cannot be used in the interpretation of this Code.

3.3 If any provision confers any right or imposes any obligation on any party, then notwithstanding that it is only in the interpretation clause, effect must be given to it as if it were a substantive provision.

4. ABSENTEEISM

	Schedule of Offences	**Disciplinary Action to be applied**				
(a)	Absenteeism without leave: 1day		WW	FW	DC	

	Schedule of Offences	Disciplinary Action to be applied				
(b)	Absenteeism without leave: 2days		WW	FW	DC	
(c)	Absenteeism without leave: 3days			FW	DC	
(d)	Absenteeism without leave: 4days or more				DC	
(e)	Abuse of sick leave		WW	FW	DC	
(f)	Non-notification of absence		WW	FW	DC	

5. TIME-RELATED MISCONDUCT

	Schedule of Offences	Disciplinary Action to be applied				
(a)	Arriving late at work	VW	WW	FW	DC	
(b)	Unauthorised absence form workplace	VW	WW	FW	DC	
(c)	Leaving workplace without permission	VW	WW	FW	DC	
(d)	Leaving workplace before closing time	VW	WW	FW	DC	
(e)	Unauthorised breaks during work	VW	WW	FW	DC	
(f)	Receiving unauthorised visit during working time	VW	WW	FW	DC	
(g)	Unauthorised occupation of other employees' time (e.g. selling goods, collection lists)	VW	WW	FW	DC	
(h)	Passing time idly, loafing (failing to complete tasks)	VW	WW	FW	DC	

6. DISORDERLY CONDUCT

6.1 Insubordination and abusive behaviour

	Schedule of Offences	Disciplinary Action to be applied				
(a)	Insolence or insubordination to senior employee			FW	DC	
(b)	Unwillingness or refusal to accept or execute lawful instruction from person in authority			FW	DC	
(c)	Contravenes or fails to comply with the University's conditions of employment, written agreements with trade unions, operating regulations, security measures, codes, rules and statutory requirements		WW	FW	DC	
(d)	Refusing to work agreed overtime		WW	FW	DC	
(e)	Horseplay		WW	FW	DC	
(f)	Injury to others due to horseplay			FW	DC	

	Schedule of Offences	Disciplinary Action to be applied				
(g)	Abusive/obscene language		WW	FW	DC	
(h)	Threats of violence				DC	
(i)	Assault/attempt to assault					SD
(j)	Fighting					SD
(k)	Grossly offensive behaviour					SD
(l)	Riotous behaviour			FW		SD
(m)	Inciting others to commit offence					SD
(n)	Victimization/intimidation			FW		SD
(o)	Harassment			FW	DC	
(p)	Indecency		WW	FW	DC	
(q)	Unauthorised possession of dangerous weapon(s)				DC	
(r)	Behaviour which could tarnish the University's image or relationships		WW	FW	DC	
(s)	Improper/disgraceful conduct			FW	DC	

6.2 Unacceptable behaviour

	Schedule of Offences	Disciplinary Action to be applied				
(a)	Smoking in non-smoking area (In the case of a dangerous non-smoking area (e.g. in the presence or proximity of flammable material) a first offence warrants a DC)	VW	WW	FW	DC	
(b)	Unauthorised placing of posters/notices	VW	WW	FW	DC	
(c)	Sleeping on duty (In the case of a Security Guard a first offence warrants a SD)	VW	WW	FW	DC	
(d)	Gambling on duty on University's premises	VW	WW	FW	DC	
(e)	Conducting private business in working hours (Subject to the provisions of the University's Private Work Policy)		WW	FW	DC	
(f)	Failing to report an accident at work			FW	DC	
(g)	Poor maintenance of vehicles, machines or equipment		WW	FW	DC	
(h)	Intentional interference with or obstruction of other employees in performance of their duties			FW	DC	

	Schedule of Offences	Disciplinary Action to be applied				
(i)	Minor negligence		WW	FW	DC	
(j)	Gross negligence				DC	
(k)	Dereliction of duty					SD
(l)	Performing private work without permission		WW	FW	DC	
(m)	Performing private work that amounts to a conflict of interest (Such as an Academic employee who teaches the same course at the University as at a private college)				DC	

6.3 Dishonesty

	Schedule of Offences	Disciplinary Action to be applied				
(a)	Bribery/corruption					SD
(b)	Fraud/forgery					SD
(c)	Theft					SD
(d)	Misuse of University funds					SD
(e)	Unauthorised possession of University property or of another employee or visitor's property				DC	SD
(f)	Disclosure of confidential information				DC	
(g)	Giving false statements				DC	

7. MISUSE OF UNIVERSITY PROPERTY

	Schedule of Offences	Disciplinary Action to be applied				
(a)	Willful loss of property		WW	FW	DC	
(b)	Willful abuse or misuse of property			FW	DC	
(c)	Damage to property through negligence			FW	DC	
(d)	Willful damage of property				DC	
(e)	Wasting of resources/materials		WW	FW	DC	
(f)	Driving vehicles without permission			FW	DC	
(g)	Negligent or reckless driving			FW	DC	
(h)	Speeding		WW	FW	DC	

8. VIOLATION OF SAFETY AND HYGIENE RULES

	Schedule of Offences	Disciplinary Action to be applied				
(a)	Minor infringement of health, hygiene and safety rules and regulations		WW	FW	DC	
(b)	More serious infringement of health, hygiene and safety rules and regulations			FW	DC	
(c)	Gross violation of health, hygiene and safety rules and regulations				DC	
(d)	Failure to wear specific personal protective clothing			FW	DC	

9. ALCOHOL OR DRUGS MISCONDUCT

Drugs do not only mean illicit drugs but also prescription drugs or other hallucinogenic drugs obtained illicitly (also see the University's policy for dealing with substance abuse).

	Schedule of Offences	Disciplinary Action to be applied				
(a)	In unauthorised possession of alcohol/drugs at workplace				DC	
(b)	Arrival at work under influence of alcohol/drugs				DC	
(c)	Being under the influence of alcohol/drugs during working hours				DC	
(d)	Consuming alcohol in any form in the workplace (except sanctioned social occasions)				DC	
(e)	Inability to work properly as a result of alcohol/drugs				DC	
(f)	Driving a University vehicle while under the influence of alcohol/drugs				DC	

10. INDUSTRIAL ACTION

	Schedule of Offences	Disciplinary Action to be applied				
(a)	Participation in an unprotected strike/industrial action				DC	
(b)	Participation in an unprotected secondary (sympathy) strike/industrial action				DC	
(c)	Participation in unprotected picketing				DC	
(d)	Participation in unprotected protest action				DC	
(e)	Inciting unprotected activity				DC	
(f)	Damaging University property or causing injury to employees during a protected strike/industrial action			FW	DC	

	Schedule of Offences	Disciplinary Action to be applied				
(g)	Trashing University property during a protected strike/industrial action (including but not limited to overturning rubbish containers)			FW	DC	

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Amendments approved by Council on 22 September 2020